

Subsec. (d)(3). Pub. L. 110–114, § 5017(c)(3)(C), inserted “(including monitoring)” after “services”.

Subsec. (f)(1)(B). Pub. L. 110–114, § 5017(c)(4), inserted “long-term” before “maintenance”.

Subsec. (g). Pub. L. 110–114, § 5017(c)(5), designated existing provisions as par. (1), inserted heading, and added par. (2).

§ 2904. Establishment of Estuary Habitat Restoration Council

(a) Council

There is established a council to be known as the “Estuary Habitat Restoration Council”.

(b) Duties

The Council shall be responsible for—

(1) soliciting, reviewing, and evaluating project proposals and developing recommendations concerning such proposals based on the factors specified in section 2903(c)(3) of this title;

(2) submitting to the Secretary a list of recommended projects, including a recommended priority order and any recommendation as to whether a project should be carried out by the Secretary or by another Federal department or agency under section 2903(g) of this title;

(3) developing and transmitting to Congress a national strategy for restoration of estuary habitat;

(4) periodically reviewing the effectiveness of the national strategy in meeting the purposes of this chapter and, as necessary, updating the national strategy;

(5) providing advice on the development of the database, monitoring standards, and report required under sections 2906 and 2907 of this title;

(6) cooperating in the implementation of the strategy developed under section 2905 of this title;

(7) recommending standards for monitoring for restoration projects and contribution of project information to the database developed under section 2906 of this title; and

(8) otherwise using the respective authorities of the Council members to carry out this chapter.

(c) Membership

The Council shall be composed of the following members:

(1) The Secretary (or the Secretary’s designee).

(2) The Under Secretary for Oceans and Atmosphere of the Department of Commerce (or the Under Secretary’s designee).

(3) The Administrator of the Environmental Protection Agency (or the Administrator’s designee).

(4) The Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service (or such Secretary’s designee).

(5) The Secretary of Agriculture (or such Secretary’s designee).

(6) The head of any other Federal agency designated by the President to serve as an ex officio member of the Council.

(d) Prohibition of compensation

Members of the Council may not receive compensation for their service as members of the Council.

(e) Chairperson

The chairperson shall be elected by the Council from among its members for a 3-year term, except that the first elected chairperson may serve a term of fewer than 3 years.

(f) Convening of Council

(1) First meeting

The Secretary shall convene the first meeting of the Council not later than 60 days after November 7, 2000, for the purpose of electing a chairperson.

(2) Additional meetings

The chairperson shall convene additional meetings of the Council as often as appropriate to ensure that this chapter is fully carried out, but not less often than annually.

(g) Council procedures

The Council shall establish procedures for voting, the conduct of meetings, and other matters, as necessary.

(h) Public participation

Meetings of the Council shall be open to the public. The Council shall provide notice to the public of such meetings.

(i) Advice

The Council shall consult with persons with recognized scientific expertise in estuary or estuary habitat restoration, representatives of State agencies, local or regional government agencies, and nongovernmental organizations with expertise in estuary or estuary habitat restoration, and representatives of Indian tribes, agricultural interests, fishing interests, and other estuary users—

(1) to assist the Council in the development of the estuary habitat restoration strategy to be developed under section 2905 of this title; and

(2) to provide advice and recommendations to the Council on proposed estuary habitat restoration projects, including advice on the scientific merit, technical merit, and feasibility of a project.

(Pub. L. 106–457, title I, § 105, Nov. 7, 2000, 114 Stat. 1962; Pub. L. 110–114, title V, § 5017(d), Nov. 8, 2007, 121 Stat. 1198.)

Editorial Notes

AMENDMENTS

2007—Subsec. (b)(6) to (8). Pub. L. 110–114 added pars. (6) to (8).

§ 2905. Estuary habitat restoration strategy

(a) In general

Not later than 1 year after November 7, 2000, the Council,¹ shall develop an estuary habitat restoration strategy designed to ensure a comprehensive approach to maximize benefits derived from estuary habitat restoration projects and to foster the coordination of Federal and non-Federal activities related to restoration of estuary habitat.

¹ So in original. The comma probably should not appear.